

EXHIBIT G

From: [Jeremy Fielding](#)
To: [John Ryan](#)
Cc: [Rebecca Adams](#); [Nathan Wilcox](#); [LPCH Aptive](#); [Jon Kelley](#)
Subject: Re: Village of East Rockaway's Solicitation Ordinance
Date: Tuesday, June 4, 2019 10:07:02 PM

John:

For all the reasons explained in our original letter, these identified provisions of East Rockaway's ordinance are plainly unconstitutional. But I cannot emphasize enough how much we wish to avoid litigation with East Rockway — and every other city and town with similarly unconstitutional ordinances. All we want and need is the ability to solicit in the town free from these unconstitutional provisions.

Fortunately, a stand down/suspension agreement accomplishes this goal and ensures the parties won't waste attorneys fees on litigation. This is how we've worked this out with literally scores of other cities in NY and throughout the US. Cities only end up having to pay our fees when they refuse to suspend/amend the unconstitutional aspects of their ordinances, thereby forcing us to sue.

Can't we avoid this here?

Do not hesitate to contact me on my cell if you wish to discuss further.

972-832-8630.

Respectfully,

Jeremy

Sent from my iPhone

On Jun 4, 2019, at 6:15 PM, Jon Kelley <jkelly@lynlllp.com> wrote:

John,

We have not received any response as to whether East Rockaway will suspend the solicitation restrictions challenged in our letter of May 20. As we have explained time and again, a lawsuit is always our last resort. We would far prefer to simply work through this issue with the Village, and find some mutually agreeable solution that might protect our first amendment freedoms while allowing the Village the time it needs to amend its ordinance. But the Village has neither agreed to amend its ordinance or suspend its enforcement through an interim agreement, and we can wait no longer while it continues to enforce an unconstitutional ordinance.

Accordingly, Aptive intends to file a lawsuit and a TRO against East Rockaway this *Thursday June 6th* unless we receive your written confirmation by tomorrow at noon EST that the Village will immediately suspend enforcement of 1) its 5:00 p.m. solicitation curfew; 2) its \$2,500 bond requirement; and 3) its unconstitutional licensing process.

Absent such confirmation, Aptive will promptly file a lawsuit and TRO against East Rockaway on Thursday the 6th in the Eastern District of New York, seeking an injunction enjoining the above provisions of Section 171 of the Village code. Please be advised that if Aptive is forced to file this lawsuit and the Village later elects to repeal the offending provisions of its ordinance, Aptive will not agree to settlement of this matter without the Village paying the legal fees Aptive incurs in the filing of the lawsuit.

Thanks,
Jon

JON KELLEY, Attorney
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jkelley@lynnllp.com

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From: Jeremy Fielding <jfielding@lynnllp.com>
Sent: Tuesday, May 21, 2019 10:31 AM
To: John Ryan <JRyan@RBDLLP.net>; Rebecca Adams <radams@lynnllp.com>
Cc: Nathan Wilcox <n.wilcox@goaptive.com>; LPCH Aptive <LPCHAptive@lynnllp.com>
Subject: Re: Village of East Rockaway's Solicitation Ordinance

What's the best number?

JEREMY FIELDING, Partner
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Direct 214 981 3803
Cell 972 832 8630
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From: John Ryan <JRyan@RBDLLP.net>
Date: Tuesday, May 21, 2019 at 6:31 AM
To: Jeremy Fielding <jfielding@lynnllp.com>, Rebecca Adams <radams@lynnllp.com>
Cc: Nathan Wilcox <n.wilcox@goaptive.com>, LPCH Aptive <LPCHAptive@lynnllp.com>
Subject: RE: Village of East Rockaway's Solicitation Ordinance

ok

John E. Ryan, Esq.
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From: Jeremy Fielding <jfielding@lynnllp.com>
Sent: Monday, May 20, 2019 10:50 PM
To: John Ryan <JRyan@RBDLLP.net>; Rebecca Adams <radams@lynnllp.com>
Cc: Nathan Wilcox <n.wilcox@goaptive.com>; LPCH Aptive <LPCHAptive@lynnllp.com>
Subject: Re: Village of East Rockaway's Solicitation Ordinance

John:

I can call you tomorrow afternoon. How about 3pm EST?

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From: John Ryan <JRyan@RBDLLP.net>
Date: Monday, May 20, 2019 at 2:29 PM
To: Rebecca Adams <radams@lynnllp.com>
Cc: Nathan Wilcox <n.wilcox@goaptive.com>, Jeremy Fielding <jfielding@lynnllp.com>, LPCH Aptive <LPCHAptive@lynnllp.com>
Subject: RE: Village of East Rockaway's Solicitation Ordinance

Please have Mr. Fielding call me.

John E. Ryan, Esq.
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From: Rebecca Adams <radams@lynnllp.com>
Sent: Monday, May 20, 2019 3:26 PM
To: John Ryan <JRyan@RBDLLP.net>
Cc: Nathan Wilcox <n.wilcox@goaptive.com>; Jeremy Fielding <jfielding@lynnllp.com>;

LPCH Aptive <LPCHAptive@lynnllp.com>

Subject: RE: Village of East Rockaway's Solicitation Ordinance

Mr. Ryan,

In light of the unconstitutional portions of the statute outlined in Mr. Fielding's letter, he does believe that it is necessary for East Rockaway to amend its ordinance. To assist in this process, I've attached a model ordinance that we suggest for the Village's amendment.

Aptive understands that the amendment process can take time. Because Aptive's selling season has already begun, the timing of this issue matters a great deal to our client. For that reason, we ask that the Village execute the attached Interim Agreement no later than June 1st so Aptive can avoid incurring any additional lost profits and the Village can take the time it needs to consider an amendment. Please let us know if you have any questions or comments about the draft agreement.

Thank you,
Rebecca

REBECCA ADAMS | Attorney

LynnPinkerCoxHurst

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Fax 214 981 3839

radams@lynnllp.com

From: John Ryan <JRyan@RBDLLP.net>

Sent: Monday, May 20, 2019 1:56 PM

To: Rebecca Adams <radams@lynnllp.com>

Cc: Nathan Wilcox <n.wilcox@goaptive.com>; Jeremy Fielding <jfielding@lynnllp.com>;

LPCH Aptive <LPCHAptive@lynnllp.com>

Subject: RE: Village of East Rockaway's Solicitation Ordinance

I am the Village Attorney for East Rockaway. Based on my experience with your firm as Village Attorney for Floral Park, I could recommend to the East Rockaway Trustees that they amend their Code the same way Floral Park, Bellerose and other Villages in New York have in response to the same letters sent to them by your firm. I am requesting that Mr. Fielding advise whether he thinks that will be necessary.

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From: Rebecca Adams <radams@lynnllp.com>

Sent: Monday, May 20, 2019 2:34 PM

To: John Ryan <JRyan@RBDLLP.net>

Cc: Nathan Wilcox <n.wilcox@goaptive.com>; Jeremy Fielding <jfielding@lynnllp.com>; LPCH Aptive <LPCHAptive@lynnllp.com>

Subject: Village of East Rockaway's Solicitation Ordinance

Mr. Ryan,

Please see the attached correspondence from Jeremy Fielding regarding the Village of East Rockaway's solicitation ordinance.

Thank you,
Rebecca

REBECCA ADAMS | Attorney

LynnPinkerCoxHurst

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